In truth these are insufficient. He may mean to refer to the list of not less than one hundred or more than one hundred and fifty free-holders mentioned in sec. 2, of ch. 157, or he may refer to the grand jurors to be drawn by ballot in sec. 3, of that chapter.

It is not absolutely certain to what he does refer in this regard. And there must be a certainty to every intent, leaving nothing to intendment inference or argument. It is certain, however, that the pleader is in error in his assumption that grand jurors are to be drawn from a list of grand jurors prepared, as he has variously alleged, or that a valid grand jury can be so drawn.

Again, as Ohio county has its board of commissioners (a special tribunal), and a clark of the county expended.

Again, as Ohio county has its board of commissioners (a special tribunal), and a clerk of the county court to transact the business that in other counties of the state is done by county courts, it is error to use in these pleas county court of Ohio county, instead of board of commissioners of Ohio county. When you speak of the county court of Ohio county, where a constitutional tribunal exists in lieu of the county court and where there is no county court and where there is no county court and where there is no county court the query arises what court do you mean? Such a query is proof of vagueness and lack of certainty in the plea that is fatal to it as a plea in abatement.

plea that is fatal to it as a plea in abatement.
This objection, that is, the use of the phrase county court of Ohlo county, also, obtains to plea 12 in addition to pleas 1, 2, 3, 4, 5, 13, 14 and 15.
Pleas 1, 3, 4, 5, 9, and 10 and 12 are open to the charge of duplicity and are bad on that ground. Duplicity can be predicated on faulty and insufficient allegations, 59 to 87. And such allegations are not to be regarded as surplusage.
Pleas 4, 5, 9, and 12 each contain an averment, that some of the facts set up in them are made upon information and belief, or as he is informed and beliefe.

Such allegations are directly viola-tive of the rules that all averments in all pleadings at law must be positive,

direct and certain.

No averment of fact can be found in the forms of common law pleading predicated upon information and belief. If this is true as to common law pleading generally, how true it must be that no such an averment can be permitted in a plea in abatement.

Plea No. 6 alleges the grand jury was illegal because it was not drawn from a list of grand jurors of not less than one hundred, nor more than one hundred and fifty names, and it would be just as illegal if drawn from such a list. Nowhere does the law say grand jurors shall be drawn from a list of one hundred or one hundred and fifty names, Sec. 2, of chapter 157, says; All grand jurors shall be drawn from a list of one hundred or one hundred and fifty names, Sec. 2, of chapter 157, says; All grand jurors shall be selected by drawing ballots from the said box in the manner prescribed in this chapter and the persons whose names are written on the ballots so drawn shall be returned to serve as grand jurys.

Plea 7 is bad because it does not allege that the clerk of the county court did not cause the grand jury to be drawn. It is not enough to allege he did not draw it. Section 2, chapter 157, provides that the clerk of the county court did not draw it. Section 2, chapter 157, provides that the clerk of the county court did not draw it. Section 2, chapter 157, provides that the clerk of the county court and the said section further provides the said clerk "shall attend and cause the proper number of grand jurors to be drawn from the box and a list to be delivered to the proper officer." Section 2 of the same chapter provides that the ballot box shall be opened by the clerk of the county court. These are all of his functions. He may draw or cause to be drawn from the box and a list to be delivered to the proper number of grand jurors. The plea should therefore have alleged not only that he did not draw, but that he did not cause to be drawn."

However, I am very much inclined to the opinion that in the mather and mone of drawing resorted to by the cl

the oplinion that in the matter and manner of drawing ballots or grand jurors the statute is purely directory as to the functions of the two clerks, and that no irresularities can be set up in a pien in abatement as to the manner and mode itself the statute is purely directory as to the functions of the work of the statute of the control of the purely completed in the control of the purely completed in the control of the purely court, and the capacity of clerk of the county court, nor by the clerk of the county court, the county court did not cause to be drawn, in addition to the allegation "did not draw". The allegation that it was drawn by Charles H. Henning in his capacity as clerk of the circuit court and have contained the averment of fact. The facts should have been averred to show the capacity in which Henning acted. It ought to be shown whether it was the manual act of drawing or of signing some process of clerk of the circuit court rather than in his capacity as clerk of the capacity of clerk of the circuit court rather than in his capacity as clerk of the capacity of clerk of the circuit court rather than in his capacity as the county of clerk of the circuit court seems to be the mere custodian of the list of free holders and of the ballot box, and charged with the duty of surrous and "shall attend and cause the proper mentor to be drawn. He is summon to be charged with the duty of actually or manually drawn, the grand jurors and "shall attend and cause the proper mentor to be drawn. He is summon to the clerk of the circuit court seal summons for the purpose of drawing the ballot box and cause the proper mentor to be drawn. He is summon to the clerk of the circuit court shall summon the jury commissioners for the purpose of drawing the ballot box and cause the proper mentor to be drawn. He is summon to the clerk of the circuit court are issued there could be little doubt that the law in th

and to the injury of the complaining de-fendant.

Plea No. II, setting up that a named grand juror was not a freeholder is bad because the statute provides that the indictment shall not be quashed or abated on account of the disqualifica-tion or incompetency of any one of the grand jurors who found it.

In pleas Nos. 3, 4, 5 and 6, already ad-judged bad, there are allegations that it properly supported and sustained by proper additional averments could have been made the basis or material part of so many good pleas.

been made the basis or material part of so many good pleas.

In plea No. 3 it is said, among other thimgs, that the grand jury was drawn from a list of grand jurous prepared by T. C. Moffal, a person not authorized by law to prepare such lists of grand jurors. The law does not authorize such proceeding as is hinted at, and a grand jury so obtained would have been bad. In plea No. 4 it is apparent that the pleader meant to allege that the grand jury was drawn from a list of grand jurors prepared by some of the mem-

bers of the board of commissioners as individuals. The law does not, of

individuals. The law does not, of course, authorize this.

In plea No. 5 it is aimed to be said that the grand jury was prepared from a list of grand jurors partly prepared by one W. W. Irwin. This, of course, is unauthorized.

Now these allows:

one W. W. Irwis. This, of course, is unauthorized.

Now these allegations that have been specified in these three pleas, Nos. 3, 4 and 5, coupled with other proper averments, would have been properly parts of good plas.

One of the averments and an essential one, that should have accompanied each of these allegations, is the averment: "Without this that the said grand Jurors nor any of them were obtained from the ballots or drawn from the box, but were only obtained in the mode heretofore prescribed."

The law presumes regularity and presumes from the existence of the record of the finding of the indiciment that it was regularly formed, and this presumption must be negatived. It is like the negation in a plea of misnomer.

That the defendant was never known by the name by which he was indicted. He must not only deny that it is his name, but he must deny that he was ver known or called by that name.

It is particularly like the allegation concluding the plea in State vs. Fleming, 66 Me., 12. There the ground of the plea was the want of a seal on the writ of venire facian, and it was alleged that a named grand juror was drawn and summoned under and by virture of this defective writ. But the pleader did not stop there, but added:

"Without this that said was drawn as said grand juror, pursuant to any venire, except said supposed writ of venire facias heretofore'set forth in this piea."

venire facias heretofore'set forth in this plea."

In this sort of negation the idea is to anticipate the reply, that while it was true he was drawn as alleged, yet as a matter of fact he was, also, drawn in the very mode prescribed by law. Every supposable reply must be anticipated and met by the plea in abutement. The reasoning applied to pleas Nos. 3, 4 and 5 are applicable to No. 6.

It alleges the grand jury was drawn from a list of 248 names. It should have negatived the possibility of its being drawn from ballots or from the box containing the proper number of ballots. If the list of freeholders was never selected at all by the board of commissioners, or contained the names of less than 100 or more than 150 freeholders the fact should be averred, and then, to make the plea good, it should be averred that all the names on such objectionable strevers the fact all the names on such objectionable strevers the fact is the fact is transcribed.

make the plea good, it should be averred that all the names on such objectionable list were (if that is the fact) transcribed on ballots which were placed in envelopes and put in the box, and that there were no other ballots in said envelope or box, and that the grand jurors returning the indictment were drawn from said ballots and said box, and not otherwise. The fea must show that there was error f, the step immediately preceding the drawing and that this error attached to the grand jurors drawn.

To constitute a valid grand jury in this county. I believe it must be drawn by drawing the proper number of ballots from the envelopes in the box, and that there must be at least one ballot from each envelope or one grand juror at least from each district.

That these ballots must be prepared

from each district.
That these ballots must be prepared from a list of not less than 100 or more than 150 freeholders—must be within these limits.
That this list of not less than 100 or more than 150 freeholders must be prepared by the board of commissioners in this courty.

to number, and as to drawing from bal-lots are mandatory.

Violations, however, of these require-ments can only be taken advantage of and be made effective in abate indict-ments by the preferring of proper pleas in abatement. It is my opinion that none of the plea in abatement filled in the cases of the sixty-seven defendants indicted by the September grand jury are good in form.

After nearly completing my examina-

to me to be intended to deprive the defendants in indictments for volcations of
Chap. 32 of all dilatory and technical
matters of defense.

The phrase, "No exception shall be allowed for any defect in any indictment,"
is very broad. It is comprehensive
enough to include all matters the defendants seek to set up to these indictments
by their plea in abatement. And if so,
the plea should be rejected, no matter
how perfect they may be.

This is a provision of the old English
statutes relating to gaming, and was
incorporated by Virginia into her statutes. It has not only been retained but
extended in Virginia so as to include violations of the revenue laws; and in this
shaps we find it in our statutes. The
chapter of the Code relating to revenue
is 32 and that relating to gaming is 151
of the Code, and it is to these that Sec. 21
of Chap. 188 refers.

Practical application of this Sec. 21,
has been made in Virginia, so far as I
can learn, only to cases of violation of
the law against gaming. In this state it
has been referred to a number of cases of
violation of the revenue laws that have
gone to the supreme court. But there
has been no application or discussion,
even of the extent of its aplicability, further than it cannot save from demurrer
an indictment which may be literally
true and yet the accused guilty of no ofconse. State ve. Bruce, 26 W. Va., 157.

In State vs. Bruce, Judge Snyder says
of this Sec. 21 that it was taken from a
similar statute in Virginia, and that:

"It was there construed to exclude defences which do not put in issue
therruth of the charge in the indictment
it then applies to and excludes the pleas
in abatement filed in these cases. There
is no contention that these pleas put in
Neue any charge in the indictments. In
Athinson's case, 2 Va. 513.

If the scope of this section is to exclude defenses that do not put in issue
therruth of the charge in the indictment
it then applies to and excludes the pleas
in abatement filed in these cases. There
is no contention that these

was ruled bad.

(Foggy's case, 6 Leigh 638, On demurror overruled, leave must be got to withdraw it or judgment follows.)

The next and last case so far as I can find in which this matter came up is Com. vs. Lawrence, 86 Vs. 578. This was a gambling or gaming case, too. In this case the court was saited, first to quash the indictment, because the record did not set forth the outh and appointment of the foreman; and, second, to permit a plea in abatement that the indictment was not found upon the evidence of two of the grand jurges, nor upon the testimony of witnesses sworn and sent to the

grand jury whose names must be written

On this last point the court held that the

at the foot.

On this last point the court held that the record was perfect, having the names of the witnesses written at its foot, but said if it had been otherwise in this case, under this prosecution, the plea set up no valid defense, being matter of form, the statute providing, as does our statute, that "No exception shall be allowed for any defect or want of form in any indictment," etc.

The court says there was no error in overruling the motion to quash and the plea in abatement because of the existence of this statute. If irregularities exist in the constitution of the grand jury, would not that render any indictment found by it technically detective? Is it not reasonable and fair to construe the statute when it says "any defect" in the indictment as meaning and including defects arising from irregularly constituted grand juries? The statute is broad and to be liberally and remedially construed, and so far as its construction has been attempted this view seems to be decidedly favored.

I think the demurrer must be sustained to all these pleas, first because not technically well pleaded, and, second, if technically good the statute excludes them.

The plea in abatement in this case with the matters they set up and the number

The plea in abatement in this case with he matters they set up and the number

the matters they set up and the number thereof are very analogous to the plea in State vs. Ambrose, 3 Fed. 283. I did not get hold of this case till my own opinion was jotted down. It is by Justice Swayne, of the supreme court of the Unated States, and while it bears evidence of hasty expression, it applies with more than the usual "all fours" to the case at bar.

## MARTIN'S FERRY.

Haps and Misnaps in the Thriving City

Across the River. The remains of Mrs. Emma Furnier, who died at Pittsburgh on Wednesday night, were laid to rest at Riverview cemetery yesterday. Rev. J. T. Morton conducted the services and the pall bearers were Humphrey Williams, W. L. Starlin, George McGlumphy, Theodore Snodgrass, John W. Crooks and James Arhausch. James Arbaugh.

Watson Roberts was badly burned while at work at the Laughlin tin mills on Thursday evening. He was working at one of the heating furnaces when a flash shot out of the furnace, burning Roberts about the face, eyes, arms and hands.

Roger Jones, a heater on tin mill No. 1 5at the Aetna-Standard, fell on a hot pack of plate on Thursday night and had his left side badly burned. He was working with a pair of tongs and slipped and fell on the hot iron. Rev. J. T. Morton, of the M. E. church, officiated at the funeral of the late George Moore yesterday afternoon.

A number of Martin's Ferry Odd Fellows will visit Union Lodge at War-renton, to-night. A large circle of the Home Circle was organized at Forrester's hall last night.

TO CURE A COLD IN ONE DAY Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. 25c. The genuine has L. B. Q. on each tablet.

Men, \$100 buys the best wool Underwear you ever saw at that price.
GEO. M. SNOOK & CO.

YOU can't cure comsumption but you can avoid it and cure evrey other form of throat or lung trouble by the use of One Minute Cough Cure. Charles R. Goetze, Market and Twelfth streets; Chatham Sinclair, Forty-sixth and Jacob streets; A. E. Scheele, No. 607 Main street; Exley Bros., Penn and Zane streets; Bowie & Co., Bridgeport.

SPECIAL-TO-DAY ONLY. 150 Ladies' Jackets, latest styles, all sizes, in Black. Brown. Navy and Green, worth \$10.00, for \$5.98. L. s. GOOD & CO.

Free of Charge to Sufferer.

Cut this out and take it to your druggist and get a sample bottle free of Dr. King's New Discovery for Consumption, Coughs and Colds. They do not ask you to buy before trying. This will show you the great merits of this truly wonderful remedy and show you what can be accomplished by the regular size bottle. This is no experiment, and woul be disastrous to the proprietors, did they not know it would invariably now using it in their practice with great results, and are relying on it in most severe cases. It is guaranteed. Trial bottles free at Logan Drug Co's drug store. Regular size 50 cents and \$1.00.

FOR that pain in your chest, side or back, use Sloan's Liniment, sold by Wm. Schwertfeger, 1146 Main street.

WHEN you are suffering from Catarrh or Cold in the head you want relief right away. Only 10 cents is required to test it. Ask your druggist for the trial size of Ely's Cream Balm, or buy the 50c size. We mail it.
ELY BROS., 56 Warren St., N. Y. City.
I was afflicted with catarrh last autumn. During the month of October 1 could neither taste nor smell and could bear but little. Ely's Cream Balm cured.

it.-Marcus Geo. Shautz, Rahway, N. J.

Pimples, blotches, blackheads, red, rough, oily, mothy skin, itching, scaly scalp, dry, thin, and falling hair, and baby blemiahes prevented by Currouna Soar, the most effective skin purifying and beautifying scap in the world, as well as purest and sweetest for toilet, bath, and nursery.

EVERY HUMOR From Pimples to Berofula enred



THE CROWNING TOUCH OF A BEAUTIFUL WOMAN'S TOILET

Is exquisite Jewelry, The gems may not be costly, but if they are well cut and perfectly set they will greatly add to the wearer's charms. The trade of settling gems is an art. Our work-men possess that art to perfection.

John Becker & Co., JEWELERS AND OPTICIANS, 3537 Jacob Street, Wheeling, W. Va. MUSICAL WHEELING.

FROM SATURDAY TO SATURDAY. Monday evening at 8 o'clock, Oratorio Society rehearsal, Odd Fellows' hall; Monday evening, 8 o'clock, Arion Singing Society rehearsal, Arion hall Monday evening, 8 o'clock, Camille D'Arville Opera Company, Opera D'Arville Opera Company, Opera House; Tuesday evening, 8 o'clock, Orspheus Singing Society rehearsal, Conservatory of Music; Tuesday evening, 8 o'clock, Camille D'Arville Opera Company, Opera House; Tuesday evening, 8 o'clock, concert at Hearn Tabernacle; Wednesday evening, 8 o'clock, concert St. John's church at Opera House; Thursday evening, 8 o'clock, Mozar; Singing Society rehearsal, club house; Friday afternoon, 3 o'clock, Woman's Musical Club matines.

The musical affairs of the coming week are two charity concerts, one in the Hearne Tabernacle, Tuesday evening, one in the Opera House Wednesday evening, for the benefit of St. John's church, two performances of the Camille D'Arville Opera Company, and the Woman's Musical Club matinee, which will take place Friday afternoon at 3 o'clock, in the A. O. U. W. temple. The programme of which is not yet ready for publication, but will consist entirely of the writings of Bach (1685-1749) and Handel (1685-1759). A paper analyzing the men and their works, will be written and read by Mrs. Cyrus P. Flick and it is safe to say that her "athomeness" in music of all ages and composers will make this effort worthy to be listened to by old and young. It is regretted that the length of papers, as well as the space which can be devoted to Musical Wheeling in the Intelligencer, prevents their publication in full, and as to quote from them would perhaps not convey the writer's real opinion, no excerts will be made. ing, one in the Opera House Wednes-day evening, for the benefit of St. John's

According to plans in contemplation According to plans in contemplation by the various musical societies, there is to be a deal of good music this winter. Through the Woman's Club comes the first specific announcements: Lillian Blauvelt, Friday evening, December 3, Opera House. That advertisemnet is enough to crowd the house. Of her and her beautiful personality and voice more next week, but it is the firm conviction that this gala occasion will be the event of the mid-winter season.

The week just ended was one of enjoyment at home and abroad, to Wheeling's musical colony. Tuesday evening a splendid programme was delivered by the Philharmonic Quartet; Thursday evening two of Wheeling's prominent musicians entertained a cultured audience in Washington, Pa., and flattering testimonials of approval were accorded Paris R. Myers, organist, and Mrs. Frank LeMoyne Hupp, soprano, for their exceptionally fine work. Wednesday evening, at the Alvin theatre, Pittsburgh, Musical Wheeling, reinforced by society's representatives, made a good showing of interst in higher grade operatic productions, "The Bostonians" are always good, so it is no wonder that the old favorites, Barnabee, McDonald, Cowles, Frothingham and Jessie Bartlett Davis, were received with more than usual enthusiasm by a theatre crowd. To the list must be added the name of Alice Nielson, whose beautiful soprano voice, and splendid conception of her role, made the scenes in which she figured the positive gems of the evening, notebly "the #nging lesson," and "the monastery scene." This latter was capital throughout and the concerted arrangement of "The Serenade" as sung by the Monks, was The week just ended was one of en-This latter was capital throughout and the concerted arrangement of "The Serenade" as sung by the Monks, was worth the price of admission alone. The play hinges on the beautiful song "I love thee, I adore thee;" in other words "The Serenade," and its working out is ingenuous in the extreme. The musical author, Victor Herbert, is well known to Wheeling audiences, through his "Wizard of the Nile," and his conducting of Gilmore's band, at which concerts he was heard as a solo 'cellist.

D.

## THE RIVER.

YESTERDAY'S DEPARTURES. Pittsburgh...VIRGINIA, 6 p. m. Sistersville...RUTH, 3:30 p. m. Clarington...LEROY, 3:30 p. m. Steubenville. T. M. BAYNE, 2:30

BOATS LEAVING TO-DAY. DAATS LEAVING TO-DAX,
Charleston. H. K. BEDFORD, 6:30 a,
Parkersburg ARGAND, 11 a. m.
Matamoras. LEXINGTON, 11 a. m.
Sistersville... RUTH, 3:30 p. m.
Clarington... LERGY, 3:30 p. m.
BOATS LEAVING TO-MORROW.
Pittsburgh. BPN IUIT.

Pittsburgh... BEN HUR, 4 a. m. Pittsburgh... KANAWHA, 5 a. m. Pittsburgh... KEYSTONE STATE, 6 a. m. Cincinnati.... VIRGINIA, 8 a. m.

Along the Landing

The Keystone State will be up for Pittsburgh Sunday morning. The marks at 6 p. m. showed 5 feet 3 inches and stationary. Weather, colder and cloudy.

The Virginia departed for Pitts-burgh at 6 p. m. It is possible she may not come out from Pittsburgh tonight.

The wharfboat, in tow of the steamer Eliza H., arrived last evening at 6 o'clock, with "Commodore" Crockard and "Captain" Truax on the roof.

River Telegrams. |
OIL CITY—River 10 inches and rising. Cloudy and colder.
MORGANTOWN—River 7 fact 10 inches and rising. Cold and cloudy.
BROWNSVILLE—River 6 feet 11 inches and stationary.

BROWNSVILLE—River 6 feet 11 inches and stationary,
STEUBENVILLE—River 5 feet 1 inch and failing. Cloudy and cool. Up—Catherine Davis, Cascade and Alice,
PITTSBURGH—River 4 feet and stationary at the dam. Clear and cool.
PARKERSBURG—River 4 feet 2 inches and stationary,

How to Cure Billions Colic.

I suffered for weeks with colic and pains in my stomach caused by billousness and had to take medicine all the while until I used Chamberlain's Colic. Cholera and Diarrhoea Remedy, which cured me. I have since recommended it to a good many people. MRS. F. BUTLER, Fairhaven, Conn. Persons who are subject to billous colic can ward off the attack by taking this remedy as soon as the first symptoms appear. Sold by druggists.

Collars Handkerchiefs, Veilings, complete. GEO. M. SNOOK & CO.

DISFIGUREMENT for life by burns or scalds may be avoided by using De-Witt's Witch Hazel Salve, the great remedy for piles and for all kinds of sores and skin troubles. Charles R. Geetze, Market and Twelfth streets; Chatham Sinclair, Forty-sixth and Jacob streets; A. E. Scheele, No. 607 Main street; Exley Bros., Penn and Zane streets; Bowle & Co. Bridgeport. Wheeling Title and Trust Co. Bros., Penn and & Co., Bridgeport.

THE only remedy in the world that will at once stop itchiness of the skin in any part of the body, that is absolutely safe and never-failing, is Doan's Ointment. Get it from your dealer. 4

SMALI, pill, safe pill, best pill. De-Witt's Little Early Risers cure billous-ness, constipation, sick headache. Charles R. Gostze, Market and Tweifth streets; Chatham Sinciair, Forty-sixth and Jacob streets; A. E. Scheele, No. 607 Main street; Exley Bros., Penn and Zane streets; Bowle & Co., Bridgeport, 1

CASTORIA.

The facsimile Chart H. Flitchire winger.

BOSTON'S GREAT PREACHER.

The Rev. J. B. Brady, D. D., Advises His Many Parishioners to Take Paine's Celery Compound.



of the People's Temple, in Boston, pre-sides over the destinies of the largest Methodist church in the country.

Big, candid, Scotch-Irishman that he is, Dr. Brady has built up the Temple financially and numerically, and to-day he is the pastor of a flock of 1,700.

Dr. Brady devotes himself with unflagging courage to anything he undertakes. The chief characteristic of his ministry has been progress, in number, financial condition and moral and spiritual growth. He is a man of plain, but vigorous words. So much has been said and written about Dr. Brady—his work, his progressive methods, his eloquence and his power as a minister, that the following letter from him will be convincing and helpful to many persons besides the large number who are every Sunday influenced for good by his powerful preaching. He writes:

BOSTON, Sept. 27, 1897. flagging courage to anything he under-

BOSTON, Sept. 27, 1897. BOSTON, Sept. 27, 1897.

Paine's celery compound,if widely and wisely used, would relieve nervousness, soothe restlessness, reduce sickness, strengthen the body, invigorate the mind, and add years of happiness to life.

JAMES BOYD BRADY,

Paster People's Temple,

The man or woman who does not take time to get well will sooner or later have to take time to be ill.

PLUMBING, ETC.

stipation, and general weakness, and endure the consequent loss of health without considering how easily the cause of all this illness might be reme-died.

I your system suffers as much from lack vous system suffers as much from lack of sleep as from lack of nourishment. Both may be supplied and a healthy condition insured by using Paine's celery compound.

The stay and staff of sound health is well nourished and well regulated nerves. Sufferers from sleeplessness, nervous dyspepsia or headache may be sure that every reservoir of serve force.

record in the clerk's onice of the county record of the clerk's onice of the county, when the trust book No. 42, follo 281, i will on SATURDAY, NOVEMBER 12, 1837. Commencing at 10 o'clock a, m., proceed to sell at public auction in the city of Wheeling, at the front door of the court house of Ohlo county, West Virginia, the following described property, that is to say: The undivided one-eleventh (1-11) of all that certain tract of land on Woods' run in Richland district, in Ohlo county, in the state of West Virginia, about four miles in a northeasterly direction from the city of Wheeling, commonly known as the "Gregg farm," and containing three hundred and eighty-five (285) acres, and which farm is now in the occupancy of John W. Nichols as tenant, and which farm is part of the land which Hugh Nichols died sound and the common of the land which reference a fuller description of which reference a fuller description of which reference as fuller description of the land which for the deeds of the late Hugh Nichols, deasted much more as the purchaser may elect to pay in cash on the day of sale, the balance of the purchase money in two equal installments payable respectively at six and eighteen months from the day of sale with interest from that day, for each of which deferred installments the purchaser shall give his negotiable promissory note bearing interest from the day of sale as aforesald, the title to the property being retained until the payment in full of the same.

same. oci3 GIBSON L. CRANMER, Trustee.

At......COURT HOUSE......On

TUESDAY MORNING, NOVEMBER 16, 1897.

Adjourned sale of No. 53 South Penn treet; house, of 9 rooms; lot 60x120 feet.

ON TUESDAY MORNING, NOV. 30, 1897.

No. 60 South Broadway, frame cottage dwelling, 5 rooms and bath; lot 30x120 feet; stable on rear of lot. No. 4 South Broadway, 2-story frame dwelling, 6 rooms and bath; lot 30x120 feet.

RINEHART & TATUM,

Island Real Estate

Trustee's Sale of

cause of all this illness might be remedied.

Needful nerve and tissue nourishment is at the bottom of all permanent building up of the health.

Paine's celery compound looks out for the insidious weakening of the nervous system through mainutrition. It gives a healthy tone to the stomach, increases the blood supply, quiets and equalizes the irritated nerve action and promptly feeds the tissues when the bodily vigor is at its lowest ebb, and should not be further taxed.

The only cure, therefore, for rheumatism, neuralgia or general debility that is insting in its good effecis must rest on a radical cleansing of the blood and a building up of the nervous tissues. All this is best done by Paine's celery compound, because this remarkable remedy begins at the beginning, whereever there is disease, and establishes the health firmly and beyond any fear of falling back.

The worn-out person who cannot steep should take Paine's celery compound must not be good to the plausible sounded. Nothing undermines health and energy like loss of sleep. The ner-

TRUSTEE SALES. TRUSTEE'S SALE.

ROBT. W. KYLE, By virtue of a deed of trust made by Rachel R. Lippincott to the undersigned as trustee, bearing date May 4, 1895, and of record in the clerks office of the county court of Ohio county, West Virginia, in deed of trust book No. 42, folle 29, 1, will on

Practical Plumber, Gas and Steam Fitter,

1155 MARKET STREET. er Gas and Electric Chandeliers, Filters, and Taylor Gas Burners a specialty. mrs

WILLIAM HARE & SON, Practical Plumbers,

GAS AND STEAM FITTERS. No. 38 Twelfth Street, All Work Done Promptly at Reasonable Prices

TRIMBLE & LUTZ COMPANY, SUPPLY HOUSE.

Plumbing and Gas Fitting, Steam and Hot Water Heating. A Full Line of the Celebrated -

SNOW STEAM PUMPS ----Kept Constantly on Hand INSURANCE.

REAL ESTATE TITLE INSURANCE. If you purchase or make a loan on real estate have the title insured by the

NO. 1315 MARKET STREET. N. 1315 MARKELL President
F. STIFIEL Becretary
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